

Commission on Peace Officer Standards and Training

Certificates – Chapter 7

STATEMENT OF REASONS

(reasons are shown in bold font following the section)

Regulation 9070

PROFESSIONAL CERTIFICATES – PEACE OFFICERS

§ 9070 (a) Professional Certificates – Overview

POST Professional Certificates are awarded to peace officers who achieve increasingly higher levels of education, training, and experience in their pursuit of professional excellence.

This paragraph replaces Regulation 1011(a), which provides explanation of the purpose of the POST certificate program. This change has no regulatory effect.

- (1) The Commission-awarded certificate is a “professional” certificate pursuant to [Penal Code section 13510.1](#), and is distinguished from a “certificate of completion” which is awarded by a training presenter when an individual successfully completes a course.

The necessity for this paragraph is to provide clarity that not all POST certificates are professional certificates and to reference the section that provides the authority for POST to call some certificates “professional certificates”.

- (2) Attainment of the POST Basic Certificate is required [reference Regulation section 9070(e)].
- (3) Attainment of other professional certificates is voluntary.

Necessity - to clarify what certificate is required versus those that are not. Also provides reference to the subsection on the POST Basic Certificate requirement.

§ 9070 (b) Certificate Categories and Levels

Professional certificates for **full-time** peace officers are awarded by category and level.

- (1) **Categories**

There are three categories of certificates:

- (A) General certificates
- (B) Specialized certificates
- (C) Coroners certificates

The certificate category is based on the basic training standard completed by the individual, i.e., completion of a Regular Basic Course constitutes “General Certificates,” completion of the Specialized Investigators’ Basic Course constitutes “Specialized Certificates,” and completion of both the PC 832 Course, Arrest and Firearms and the Coroners’ Death Investigation Course constitutes “Coroner’s Certificates”. For example, if the individual works for a specialized law enforcement agency and has completed a Regular Basic Course, as well as, the other required certificate award criteria, the individual is awarded a “General” category certificate.

Necessity – To provide clarity about the categories of certificates and how the category is determined. Categories have always been confusing and difficult to understand, so that is why this section is necessary. This section does not impose any requirements.

(2) **Levels**

There are six certificate levels in each category (above):

- (A) Basic Certificate
- (B) Intermediate Certificate
- (C) Advanced Certificate
- (D) Supervisory Certificate
- (E) Management Certificate
- (F) Executive Certificate

Necessity – To provide clarity about the levels of certificates that are awarded by POST. This section does not impose any requirements.

(3) **Reserve Peace Officer Certificates**

Professional certificates for **reserve** peace officers are awarded in one category and one level. Requirements for the Reserve Peace Officer Certificate are specified in Regulation section [9070\(l\)](#).

Reserve officer certificates are another type of professional certificate, however, it is not issued by category or level, therefore, a separate description of this certificate is necessary. This section does not impose any requirements.

§ 9070 (c)

Certificate Terminology and Policy

Except as noted, the following terms and policies apply to **all** certificate categories and levels:

(1) **College Degree or College Unit Criteria**

Accreditation shall be by a national or regional accrediting body that is recognized by the Secretary of the United States Department of Education. For the award of a certificate, all degrees or units:

- (A) Shall be Issued by and recorded on the transcript of an **accredited** community college, college or university, or
- (B) When issued by a **non-accredited** community college, college, or university, the degree or units shall have been accepted and recorded on the transcript of an accredited community college, college or university.

This definition is amended for clarity and consistency with Government Code section 1031 and Penal Code section 13510.1(c).

(2) **Education Points**

For purposes of certificate qualifications:

- (A) One college semester unit equals one education point, or
- (B) One college quarter unit equals two-thirds of an education point.

Currently adopted as part of Commission Procedure (CP) F-1-4(b). No change in regulatory effect.

(3) **Training Points**

For purposes of certificate qualifications:

- (A) Twenty (20) hours of **law enforcement** training are equal to one training point. Only completed courses with verifiable hours are accepted.
- (B) The Commission shall determine acceptable law enforcement training.

Currently adopted as part of CP F-1-4(a). No change in regulatory effect.

(4) **Education Point Conversions**

When education points exceed the number needed to qualify for a certificate, the excess education points may be converted to training points to meet training point requirements. One education point shall equal one training point. POST will make the conversion when it is to the advantage of the applicant.

Currently adopted as part of CP F1-4(c). Amended for clarity but no change in regulatory effect.

(5) **Law Enforcement Experience**

Law enforcement experience described in (A) below is accepted if it is recorded on the POST Profile in POST's database. POST may accept the experience described in (B)–(D) below. Proof of the law enforcement experience described in (B)–(D) shall be documented on: 1) the employing department's/agency's letterhead, 2) signed by the department head, 3) include an attestation that the applicable requirements stated in experience categories (B), (C) or (D) below have been met, and 4) state the type of appointment, time base, dates of service, and types of duties performed.

The first sentence is new text and has been added to eliminate the need for the certificate applicant to provide proof of California law enforcement experience that POST already has recorded in its database. The next part of the paragraph provides the methods in which a certificate applicant must provide proof of other types of experience (i.e. that which is not recorded in the POST database). This information provides clarity to the applicant on the information needed by POST. The letterhead and signature of department head is required to satisfy POST of the authenticity of the information. The attestation is to assign responsibility for the experience verification, the items under #4 are required so that POST has the information needed to calculate if there is sufficient qualifying experience.

- (A) Full-time peace officer experience that is/was with a California POST-participating department.

This replaces the current CP F-1-4(e). It removes obsolete language with relation to Regular and Specialized Certificate Programs. The words "law enforcement experience" have been amended to "peace officer experience" to improve clarity and accuracy. It is not necessary to say full period of experience is accepted, but only to mention if it isn't.

- (B) Full-time peace officer experience with a California law enforcement department that is/was not a POST-participating department, and during the time of the appointment, the law required completion of the Regular Basic Course or Specialized Investigator's Basic Course for the position held.

This is new text that has been added to clarify that not all California peace officer experience is accepted. There is experience in California law enforcement

departments that does not qualify because the position does not require a POST basic course. This paragraph is added for consistency with Commission Regulation 1008 that describes qualifying experience.

- (C) Full-time peace officer experience with an out-of-state law enforcement department that participates in its state's "POST type"* program, and the "POST-type" program awarded the individual a Basic Certificate or license. The maximum credit allowed for this experience category is five years.

This text replaces the current CP F-1-4(f). It no longer allows for military law enforcement experience to be acceptable because staff believes the duties performed by military police are too dissimilar to those duties of a peace officer in a law enforcement department. The criteria that the out-of-state law enforcement department must participate in a "POST-type" program was added to exclude law enforcement departments of other states that do not have similar duties to officers of POST participating departments. The documentation requirements have been specified above, and do not need to be repeated here.

- (D) Full-time law enforcement experience with a federal law enforcement agency and the individual satisfactorily completed a basic law enforcement academy presented by the Federal Law Enforcement Training Center (FLETC) or the Federal Bureau of Investigation (FBI) academy. The maximum credit allowed for this experience category is five years.

This text is new. Federal law enforcement experience has been accepted by POST certificate staff for years, but there has never been any specific mention of this in CP F-1-4(f). The amount of credit is the same as that specified for "out-of-state" law enforcement agencies specified in CP F-1-4(f). A new requirement that the federal officer must have taken training at FLETC or the FBI academy was added by staff to ensure the federal officer was in a law enforcement position that required basic training (similar to the California peace officers). Staff believed that this requirement needed to be tightened for the integrity of the experience qualifications.

* A "POST-type" means any department/agency that is a member of IADLEST.

(6) **Multiple Certificates at Same Level**

Peace officers who qualify may be awarded a certificate in more than one category and at the same level, e.g. a General Basic Certificate and a Specialized Basic Certificate

Currently adopted in CP F-1-2(d). The text has been amended for clarity. There is no change in regulatory effect.

§ 9070 (d)

Certificate Award Requirements – All Levels

Each certificate applicant, except the applicant for a Reserve Peace Officer Certificate, shall satisfy the following requirements:

(1) **Employment Requirement**

At the time of application, an applicant shall be employed as a **full-time** peace officer by a **POST-participating** department.

Currently adopted in CP F-1-2(a) & (b). Text has been deleted that speaks to Regular and Specialized certificate categories because this requirement applies to all categories of certificates and the term "Regular" is obsolete. Amendments made for clarity.

Exception: When a POST Basic Certificate is required to continue to exercise peace officer powers pursuant to [Penal Code section 832.4](#), employment with a participating department is not required at the time of application.

Currently adopted in CP F-1-2(c). Amended for clarity and format.

(2) **Basic Course Training Requirement**

When applying for any level of certificate, an applicant shall have satisfied the basic course training requirement, as specified in [Regulation 1005](#), for the applicant's current appointment.

Currently adopted as CP F-1-2(a) and (b), but reworded for clarity.

(3) **Requalification Requirement**

(A) Applicants for general or specialized category certificates must possess basic training that has not expired as specified in Regulation [1008\(b\)](#), Basic Course Requalification Requirement.

(B) Applicants for coroner's category certificates must possess PC 832, Arrest and Firearms training that has not expired, as specified in Regulation [1080](#), PC 832 Arrest and Firearms Course Requalification.

This is new text that is being adopted for consistency with the requirements in Regulations 1008(b) and Regulation 1080. Although these requirements have not

been adopted in Regulation 1011 or Commission Procedure “F” in the past, the requirements have been implemented by POST certificate’s staff as an internal policy when processing applications for the award of a professional certificate.

(4) **Application Requirements**

An applicant (or an applicant’s employing department) shall submit a completed Certificate Application form, [POST 2-116](#) (rev. 8/88), along with supporting documents as follows:

- (A) Documentation that supports the required education and experience, i.e., official transcripts, diplomas, certificates of course completion, and proof of law enforcement experience.

Currently adopted in CP F-1-3(a) and F-1-4(c) first sentence.

- (B) When the units of credit are transferred from one educational institution to another, supporting documentation from all educational institutions is required.

Currently adopted in CP F-1-4(c) second sentence.

- (C) Supporting documents are not required if the education and/or experience information needed to support the current certificate request is already reflected on the applicant’s POST Profile. Any education or experience that is not reflected on the POST Profile must be supported as described in (4)(A) and/or (B) above.

This text is new and is being adopted to make the process easier on applicants for a certificate. POST enters acceptable supporting documents on a peace officer’s profile each time a certificate is awarded. There is no need to repeatedly request the same documentation each time the peace officer submits an application for a higher certificate, because the staff person who is processing the application can find the documentation information on the peace officer’s profile.

§ 9070 (e) Basic Certificate Possession Requirement

The Basic Certificate is required for:

(1) **Specified Peace Officers**

Pursuant to Penal Code section [832.4\(b\)](#), every peace officer listed in Penal Code section [830.1\(a\)](#) [except a sheriff, an elected marshal, or a custodial deputy appointed pursuant to PC 830.1(c)] shall obtain the POST Basic Certificate ***in order to continue to exercise peace officer powers***. PC 832.4 requires possession upon completion of probation, but in no case later than 24 months after appointment. However, if the department’s probation period is 24 months, an additional 3 months is authorized.

This is new text. Its necessity is to summarize the requirements in Penal Code 832.4(b) to make these regulations more user friendly for agencies and peace officers, and consistent with PC 832.4. Specifies that the possession of a Basic Certificate is mandatory for certain peace officers.

(2) **Police Chiefs/Persons in Charge**

Pursuant to Penal Code section [832.4\(c\)](#), *as a condition of continued employment*, each police chief, or any other person in charge of a local law enforcement agency, who is appointed on or after January 1, 1999, shall possess the POST Basic Certificate within two years of appointment.

This is new text. Clarifies that chiefs and persons in charge have different Basic Certificate requirements. Consistent with the Penal Code section 832.4(c).

(3) **Peace Officers Employed by a Participating Department**

Every peace officer appointed by a department participating in the POST Program shall possess the appropriate Basic Certificate within the time limits described in (1) above, unless an exception in (4) below pertains to the officer.

This is new text that has been added for consistency with Regulation 1010(c)(2).

(4) **Exception to Basic Certificate Requirement**

There are three exceptions to the Basic Certificate possession requirements specified in (1) – (3) above:

- (A) Peace officers appointed prior to the employing department's entry date into the POST Program and who are not required to possess a POST Basic Certificate pursuant to the requirements of [PC 832.4](#), and

Currently adopted as the first part of Regulation 1010 (c)(2). Text is amended for consistency with the new format. Amendments have no regulatory effect.

- (B) Custodial peace officers appointed pursuant to [PC 830.1\(c\)](#), and

New text has been added that is consistent with the requirements in Penal Code 832.4(b).

- (C) Peace officers first appointed prior to January 1, 1974 and who have not changed departments since that date and who are not included in exceptions (A) or (B) above.

New text has been added that is consistent with the requirements in Penal Code 832.4(a).

§ 9070 (f) Basic Certificate Award Requirements

Applicants for the award of a Basic Certificate shall:

- (1) Satisfy the requirements specified in Regulation section [9070\(d\)](#) for all certificates.

This text is necessary to notify the applicant of all requirements that apply to obtaining the Basic Certificate, but avoids redundancy from having to repeat the general requirements for each level of certificate.

- (2) Complete the current employing department's probationary period of not less than 12 months.

Currently adopted as first sentence of CP F-1-5(a). It is not necessary to mention the attestation of the department head because that is part of the required application. It is not necessary to mention the part about January 1, 1988 because in 2006 that date no longer plays part in certificate issuance criteria, i.e. probation versus service.

- (3) Satisfy the minimum entry-level basic course training standard for the applicant's current position, i.e., one of the following: 1) Regular Basic Course, 2) Specialized Investigator's Basic Course, or 3) a PC 832 Course and Coroner's Death Investigation Course.

Currently adopted as CP F1-5(b). The wording has been amended to add clarity, however, the amendments do not alter the requirement.

§ 9070 (g) Intermediate Certificate Award Requirements

Applicants for the award of an Intermediate Certificate shall:

- (1) Satisfy the requirements specified in Regulation section [9070\(d\)](#) for all certificates.

This text is necessary to notify the applicant of all requirements that apply to obtaining the Intermediate Certificate, but avoids redundancy of repeating the general requirements for each level of certificate.

- (2) Possess or be eligible to possess the Basic Certificate for the current position.

Currently adopted as F1-6(a) and (b). The text has been modified to clarify that the applicant must possess the correct certificate related to current position.

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(3) Satisfy one of the following eligibility *combinations*:

Degree or Education Points*		Law Enforcement Experience		Training Points
Bachelor Degree	and	2 years	plus	0
Associate Degree	and	4 years	plus	0
45 Education Points	and	4 years	plus	45
30 Education Points	and	6 years	plus	30
15 Education Points	and	8 years	plus	15

This table is currently part of Commission Procedure F-1. It has been redesigned for clarity, but requirements have not been changed. No regulatory effect.

*Excess education points may be applied towards training points on a point-for-point basis [reference [Regulation section 9070\(c\)\(4\)](#)].

An abbreviated explanation of 9070(c)(4) has been added here for user-friendliness.

§ 9070 (h)

Advanced Certificate Award Requirements

Applicants for the award of an Advanced Certificate shall:

(1) Satisfy the requirements specified in Regulation section [9070\(d\)](#) for all certificates.

This text is necessary to notify the applicant of all requirements that apply to obtaining the Advanced Certificate, but avoids redundancy of repeating the general requirements for each level of certificate.

(2) Possess or be eligible to possess the Intermediate Certificate.

Currently adopted as CP F-1-7(a).

(3) Satisfy one of the following eligibility *combinations*:

Degree or Education Points*		Law Enforcement Experience		Training Points
Master Degree	and	4 years	plus	0
Bachelor Degree	and	6 years	plus	0
Associate Degree	and	9 years	plus	0
45 Education Points	and	9 years	plus	45
30 Education Points	and	12 years	plus	30

This table is currently part of Commission Procedure F-1. It has been redesigned for clarity, but requirements have not been changed. No regulatory effect.

*Excess education points may be applied towards training points on a point-for-point basis [reference [Regulation section 9070\(c\)\(4\)](#)].

An abbreviated explanation of 9070(c)(4) has been added here for user-friendliness.

§ 9070 (i) Supervisory Certificate Award Requirements

Applicants for the award of a Supervisory Certificate shall:

- (1) Satisfy the requirements specified in Regulation section [9070\(d\)](#) for all certificates.

This text is necessary to notify the applicant of all requirements that apply to obtaining the Supervisory Certificate, but avoids redundancy of repeating the general requirements for each level of certificate.

- (2) Possess or be eligible to possess an Intermediate Certificate.
- (3) Complete a minimum of 60 semester units.
- (4) Successfully complete a POST-certified Supervisory Course.
- (5) Serve a minimum of two years in law enforcement as a **permanent** first-level supervisor, middle manager, assistant department head, or department head (reference Regulation [1001](#), Definitions).

Currently adopted in CP F-1-8. No new requirements. Text is amended for clarity and format only. The word “permanent was added in section (5) for clarity. POST does not allow temporary service as qualifying service.

§ 9070 (j) Management Certificate Award Requirements

Applicants for the award of a Management Certificate shall:

- (1) Satisfy the requirements specified in Regulation section [9070\(d\)](#) for all certificates.

This text is necessary to notify the applicant of all requirements that apply to obtaining the Management Certificate, but avoids redundancy of repeating the general requirements for each level of certificate.

- (2) Possess or be eligible to possess an Advanced Certificate.
- (3) Complete a minimum of 60 semester units.
- (4) Successfully complete a POST-certified Management Course.
- (5) Serve a minimum of two years in law enforcement as a **permanent** middle manager, assistant department head, or department head (reference Regulation [1001](#), Definitions), or.

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Currently adopted in CP F-1-9. No new requirements. Text is amended for clarity and format only. The word “permanent” was added in section (5) for clarity. POST does not allow temporary service for certificate qualification.

- (6) Serve an aggregate of four years in law enforcement, with at least two years of experience at the middle manager level in order to receive the award of the Supervisory and Management Certificates.

Currently adopted as part of CP F1-4(g). No new requirements.

§ 9070 (k)

Executive Certificate Award Requirements

Applicants for the award of an Executive Certificate shall:

- (1) Satisfy the requirements specified in Regulation section [9070\(d\)](#) for all certificates.

This text is necessary to notify the applicant of all requirements that apply to obtaining the Executive Certificate, but avoids redundancy of repeating the general requirements for each level of certificate.

- (2) Possess or be eligible to possess an Advanced Certificate [reference subsection (h) above].
- (3) Complete a minimum of 60 semester units.
- (4) Successfully complete a POST-certified Executive Development Course.
- (5) Serve a minimum of two years as a **permanent** department head (reference Regulation [1001](#), Definitions) in the current employing agency, or.

Currently adopted in CP F-1-10. No new requirements. Text is amended for clarity and format only. The word “permanent” was added in section (5) for clarity. POST does not allow temporary service for certificate qualification.

- (6) Serve an aggregate of six years’ in law enforcement, with at least two years as department head of the agency, to receive all three certificates, i.e., Supervisory, Management, and Executive.

Currently adopted as part of CP F1-4(g). No new requirements.

§ 9070 (l)

Reserve Peace Officer Certificate Requirements

(1) **Requirements**

Applicants for the award of a Reserve Peace Officer Certificate shall:

- (A) Be currently employed as a (designated or non-designated) Level I Reserve Officer with a department participating in the POST program.

Currently adopted in CP H-4-5(b).

- (B) Have been selected in accordance with the minimum selection standards specified in Commission regulations for reserve officers.

Currently adopted in CP H-4-5(a). The text that indicates the reserve may be deputized is obsolete.

- (C) Have completed a POST-certified Regular Basic Course in any delivery format.

Currently adopted in CP H-4-6(a)(1) &(2). Text is amended for clarity and format.

- (D) Have satisfactorily completed a minimum of 200 hours of general law enforcement experience.

Currently adopted in CP H-4-6(a)(1). Text is amended for clarity and format.

- (E) If appointed on or after January 1, 1999 but prior to June 30, 1999, shall have completed 200 hours of field training. If appointed on or after July 1, 1999 shall have completed 400 hours of field training.

Currently adopted in CP H-4-6(b). Text is amended for clarity and format.

(2) **Application**

The “Application for Award of POST Reserve Officer Certificate” shall be submitted on a POST 2-256 form. If the training required in (C) above is not reflected on the applicant’s POST Profile, the application shall include supporting documentation that verifies the training has been completed, i.e. a certificate of completion.

Currently adopted in CP H-4-7. CP H-4-7(a) has been amended to make the application process easier on the applicant and eliminate the need for document submission when POST already had the information on the applicant’s profile. CP H-4-7 (b) & (c) are not necessary because the signature are part of the form that must be completed and submitted. These sections are redundant to the requirements on the form. CP H-4-8 is not necessary because the submission information is part of the form.

- § 9070 (m) Peace Officer Disqualification and Certificate Records
Reference [Regulation 9071](#).
This text is added as an electronic link, and avoids redundancy.
- § 9070 (n) Certificate Replacement
Reference [Regulation 9077](#).
This text is added as an electronic link, and avoids redundancy.

§ 9070 (o) Certificate Cancellations

Reference [Regulation 9078](#).

This text is added as an electronic link, and avoids redundancy.

Authority cited: Sections 13503, 13510.1, Penal Code.

Reference: Sections 1031, Government Code; 13510.1, 832.4 Penal Code.

Regulation 9071

PEACE OFFICER DISQUALIFICATION AND CERTIFICATE RECORDS

§ 9071 (a) Disqualification from Peace Officer Employment

[Government Code section 1029\(a\)](#) (recommend reading complete text) states that a person is disqualified from holding office as, or being employed as, a peace officer of the state, if the person is:

- (1) Convicted of a felony.
- (2) Convicted in any other jurisdiction of an offense that would have been a felony if committed in California.
- (3) After January 1, 2004, been convicted of a crime based upon a verdict or finding of guilt of a felony by the trier of fact, or upon the entry of a plea of guilty or *nolo contendere* to a felony. This paragraph shall apply regardless of whether, pursuant to subdivision [PC 17\(b\)](#), the court declares the offense to be a misdemeanor or the offense becomes a misdemeanor by operation of law. [Note: when this subsection applies, also review text in [Government Code section 1029\(b\)](#).]
- (4) Charged with a felony and adjudged to be mentally incompetent by a superior court.
- (5) Found not guilty of a felony by reason of insanity.
- (6) Determined to be a mentally disordered sex offender pursuant to Article 1 (commencing with Section 6300) of [Chapter 2, Part 2 of Division 6 of the Welfare and Institutions Code](#).
- (7) Convicted of addiction or in danger of becoming addicted to narcotics and committed to a state institution

The necessity for adding this section of regulation is for easy reference for agencies participating in the POST program. It shows the authority for disqualification from peace officer employment as GC 1029(a).

§ 9071 (b) Employing Agency Responsibility

When department personnel have knowledge that a peace officer employee has been disqualified from holding office or being employed as a peace officer of the state pursuant to [Government Code section 1029](#), the person with knowledge shall notify POST immediately. The notification shall be in writing and include as attachments copies of official documents that substantiate the disqualification.

This is new text is added to implement some procedures to assist POST in obtaining information about disqualified peace officer employees. Penal Code 13506 allows POST to adopt regulations to carry out the requirements of the law.

§ 9071 (c) Disqualification Recorded

When a peace officer or former peace officer has been determined to be disqualified from holding office or being employed as a peace officer pursuant to GC 1029, POST shall record the following admonition on the individual's POST Profile:

“THIS PERSON IS INELIGIBLE TO BE A PEACE OFFICER IN CALIFORNIA
PURSUANT TO GOVERNMENT CODE SECTION 1029(a).”

Penal Code section 13510.7 was added by Statutes in 2003, and requires POST to enter information relating to determinations and peace officer employment. This regulation implements the requirements of PC 13510.7 (a).

If that same individual possesses a POST Basic Certificate, the Commission shall also note on the individual's POST Profile record in the “certificate section” of the record:

“THE BASIC CERTIFICATE IS NULL AND VOID.”

This regulation section implements the requirement in PC 13510.7 (b) related to the mandate for POST to make an entry on the person's record.

§ 9071 (d) Notification to Employing Law Enforcement Department

When POST has been officially notified through receipt of official court documents that a currently employed peace officer is ineligible to be a peace officer pursuant to Government Code section 1029(a), the Commission shall notify the law enforcement agency that employs the officer.

This regulation section implements the requirement in PC 13510.7 (b) for POST to notify the employing agency when a person is ineligible to be a peace officer .

§ 9071 (e) **Overturned or Reversed Convictions and Peace Officer Profile Records**

An individual whose felony conviction is overturned or reversed is personally responsible for requesting an amendment of POST records. The individual desiring that his/her POST record be corrected shall:

- (1) Provide POST with a written request to remove the statement(s) regarding ineligibility to be a peace officer and/or the voided Basic Certificate.
- (2) Provide POST with certified court documentation that proves the felony conviction has been overturned or reversed.

Penal Code section 13507 provides authority for POST to adopt regulations necessary to carry out the law. This section is necessary so that there is a method for removing the statements required in Regulation 9071(c) above when they no longer apply. POST staff developed this method and believes that it is reasonable to require the affected individual to request an amendment of the records. The documentation required in subsection (2) is necessary to ensure that the individual is providing truthful information about an overturned or reversed felony conviction.

Authority cited: Sections 1029, Government Code; 13510.7, Penal Code.

Reference: Sections 13510.7 (a) – (b), Penal Code.

Regulation 9072

PROFESSIONAL CERTIFICATE – PUBLIC SAFETY DISPATCHER

§ 9072 (a) Dispatcher Certificate

The Dispatcher Certificate is a professional certificate awarded in recognition of meeting specified training and service requirements. Possession of this certificate is voluntary, and is not required to perform dispatcher duties.

This section is informational and has no regulatory effect.

§ 9072 (b) Application Requirements

An applicant shall submit a completed “Application for Award of POST Public Safety Dispatcher Certificate” form, [POST 2-289](#) (Rev.1/1/98). The application’s attestation must be signed by the department head. If the training required in subsection (d) below is not reflected on the applicant’s POST Profile, the application shall include supporting documentation that verifies the training has been completed, i.e. a certificate of completion.

Currently adopted in CP F-5-4 (a) and (b). The sentence regarding documentation has been added and is consistent with current procedures. If POST does not have record of the qualifying training, then proof of the training must be substantiated with documentation.

§ 9072 (c) Dispatcher Certificate Award Requirements

Each certificate applicant shall satisfy the requirements specified below:

- (1) Be employed with a department participating in the POST Dispatcher Program.

Currently in the heading of sections CP F5-2 and F5-3, but the requirement is not clearly stated. Sections 5-2 and 5-3 have been completely reformatted to add clarity to dispatcher certificate requirements. This reformatting and the amendments to text do not alter the regulatory requirements.

- (2) Be appointed as a full-time public safety dispatcher.

Currently adopted in CP F-5-2(a) and F-5-3 (a).

- (3) Have been selected in accordance with the minimum selection requirements specified in [Regulation 1018](#). Exception: This requirement does not apply, if the dispatcher was appointed prior to the department's participation in the POST program.

Currently adopted in CP F-5-2(c). Minimum selection standards are only required for all dispatchers hired after the agency participates in the POST Program. Selection Standards cannot be imposed retroactively.

- (4) Have successfully completed a POST-certified Public Safety Dispatcher's Basic Course of no less than 80 hours.

Currently adopted in CP F-5-2(c). Instead of referring to the training standard in Regulation section 1018(d), this requirement states what the training standard is, i.e. Public Safety Dispatcher's Basic Course. The reason for stating "of no less than 80 hours" is for clarification. The first Dispatcher Basic Course was 80 hours and currently it is 120 hours, either course completed by the dispatcher is acceptable. Some times applicants will submit proof of a 40-hour course, titled Complaint-Dispatcher training. This is not the same as the Basic Course.

- (5) Have satisfactorily completed the current department's probationary period of at least 12 months. Exception: Upon entry into the program, departments with a probation period of less than 12 months, when established by ordinance, charter, or memorandum of understanding, shall be granted a waiver of this requirement until a 12-month probation period can be established.

First sentence is currently adopted in CP F-5-2(d). The exception is currently adopted in Regulation 1018(e).

§ 9072 (d)

Certificate Replacement

Reference [Regulation 9077](#).

This text is added as an electronic link, and avoids redundancy.

§ 9072 (e)

Certificate Cancellations

Reference [Regulation 9078](#).

This text is added as an electronic link, and avoids redundancy.

Authority cited: Sections 13503, 13506, 13510(c), Penal Code.

Reference: Section 13510(c), Penal Code.

Regulation 9073

PROFESSIONAL CERTIFICATE – RECORDS SUPERVISOR

§ 9073 (a) Records Supervisor Certificate

The Records Supervisor Certificate is a professional certificate awarded to a records supervisor in recognition of meeting specified training and service requirements. Possession of this certificate is voluntary, and is not required to perform record supervisor duties.

Introduction to this regulation to keep consistent with new format. There are no requirements in this section.

§ 9073 (b) Notice of Appointment Requirement

A Notice of Appointment form, [POST 2-114](#), shall be completed and mailed with the application for the certificate.

Currently adopted in CP F-6-2(1). The current requirements states this requirement in past tense as if the reporting on the Notice of Appointment has to occur before the application is submitted. The above requirement has been restated to require the Notice of Appointment at the same time the application is submitted. POST does not require notification of records supervisors unless a certificate is being requested.

§ 9073 (c) Application Requirements

An applicant shall submit a completed “Application for Award of POST Records Supervisor Certificate” form, [POST 2-117](#) (Rev. 12/97). The application’s attestation must be signed by the department head. If the training required in subsection (d) below is not reflected on the applicant’s POST Profile, the application shall include supporting documentation that verifies the training has been completed, i.e. a certificate of completion.

Currently adopted in CPF-6-3(1) & (2). The last sentence has been added because occasionally POST will not have the training information in the database, in which case the applicant must provide proof of training to POST.

§ 9073 (d) Records Supervisor Certificate Award Requirements

Each certificate applicant shall satisfy the requirements specified below:

- (1) Be currently employed with a department participating in the POST Program.
- (2) Be appointed as a records supervisor as defined in [Regulation 1001](#).

Currently adopted as CP6-2(1). Minor amendments for clarity. Notice of Appointment requirement moved to subsection (b) above.

- (3) Have satisfactorily completed the current department's probationary period for a records supervisor.

Currently adopted as CP6-2(2). Minor amendments for clarity.

- (4) Have completed a minimum of two years satisfactory service with the current department as a records supervisor.

Currently adopted as CP6-2(3).

- (5) Be a high school graduate or shall have successfully passed the General Education Development (GED) test for high school graduation.

Currently adopted as CP6-2(4). Minor amendments for clarity.

- (6) Have satisfactorily completed the Public Records Act course (minimum 16 hours) and the Records Supervisor Course (minimum 40 hours).

Currently adopted as CP6-2(5). In the current CP6-2(5) reference is made to the regulation section that describes the training required. This new section eliminates the reference and replaces the reference with the actual requirement found in Regulation 1005(h).

§ 9073 (e)

Certificate Replacement

Reference [Regulation 9077](#).

This text is added as an electronic link, and avoids redundancy.

§ 9073 (f)

Certificate Cancellations

Reference [Regulation 9078](#).

This text is added as an electronic link, and avoids redundancy.

Authority cited: Sections 13503, 13506, and 13510.3, Penal Code.

Reference: Section 13510.3 Penal Code.

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Regulation 9076

CERTIFICATES OF COURSE COMPLETION

§ 9076 (a) Certificates of Course Completion

These certificates are awarded by training presenters to students who successfully complete a POST-certified course. The issuance of these type of certificates by training presenters are highly recommended but are not required except as specified in subsection (c) below. The certificate of course completion alone does not grant or bestow any powers on any individual who is the bearer of such a certificate.

This is an introductory paragraph and has no regulatory effect.

§ 9076 (b) Peace Officer Powers

The combination of an appointment to a peace officer position, by a law enforcement agency authorized to appoint peace officers, and the possession of a Certificate of Course Completion for certain basic courses, e.g. PC 832 Arrest and Firearms, may bestow peace officer powers to an individual (reference [Penal Code Section 832](#)).

Added in accordance with Penal Code section 832.

§ 9076 (c) Certificate Issuance Requirement for Specified Courses

Any presenter of a POST-certified instructor development course listed in [Regulation 1070](#) or presenters of the Academy Director/Coordinator Workshop or Recruit Training Officer Workshop shall issue a certificate of completion to all students who successfully complete the training.

Currently adopted in Regulation 1055 (k). Redundancy is necessary until the chapter on course certification is developed in the new format of PAM.

§ 9076 (d) Certificate Content Requirement

A Certificate of Completion issued by the training institution shall include the following on the certificate:

- (1) Name of training institution
- (2) POST title of the course
- (3) Ending date of the course
- (4) Number of hours completed by the individual
- (5) POST course control number.

Currently adopted in Regulation 1055 (k). Redundancy is necessary until the chapter on course certification is developed in the new format of PAM.

Authority cited: Sections 13503 and 13506, Penal Code.

Reference: Sections 13503 and 13506, Penal Code.

Regulation 9077

CERTIFICATE REPLACEMENT

§ 9077 (a)

Certificate Replacement

(1) **Requests for Certificate Replacement**

Individuals who have lost or misplaced a professional certificate or who possess a damaged professional certificate may request a replacement. The request must be submitted by completing a Request for Reissuance of a Certificate form, [POST 2-250](#) (rev. 6/91), and mailing it to the POST Certificates Unit.

This is a new regulation establishing the requirements for certificate replacement, i.e., completing POST form 2-250. This information is currently found in CP F-3, but was never adopted into regulation. The only regulatory effect is the submission of a POST form to accomplish the replacement of the certificate. The form is necessary for tracking of replaced certificates.

(2) **Certificate Numbering**

The replacement certificate will receive a new certificate number, but will also include the number of the original certificate and the date of original issue.

This text has no regulatory effect. Allows POST to do better tracking of all certificates awarded or replaced.

Authority cited: Sections 13503 and 13506, Penal Code.

Reference: Sections 13503 and 13506, Penal Code.

Regulation 9078

CERTIFICATE CANCELLATION

§ 9078 (a) Cancellation Reasons

POST shall cancel a professional certificate(s) for the following reasons:

- (1) The certificate was obtained through misrepresentation, fraud, or
- (2) The certificate was issued as a result of administrative error on the part of POST or the employing agency.

These provisions for cancellation of a certificate are currently adopted in CP F-2-4 (c) and (d). Regulatory effect has not been altered. Implements PC 13510.1(e).

§ 9078 (b) Notification Requirement

Department personnel who possess information that a certificate was obtained through misrepresentation, fraud, or administrative error shall notify the Commission immediately.

This is new text. For the integrity of the POST certificate program, POST staff believes that department personnel share in the responsibility of alerting POST of improperly awarded certificates.

§ 9078 (c) Investigation of Circumstances

The Executive Director may initiate an investigation of the circumstances under which the certificate was issued. The Executive Director has the authority to approve or deny certificate cancellation.

Text in current CP F-2-6 required the Executive Director to initiate an investigation when a certificate was issued due to administrative error, misrepresentation, or fraud. The requirement has been modified as make the initiation of the investigation permissive rather than a required action of the Executive Director because there are instances when an investigation would not be necessary, e.g. administrative errors. Penal Code section 13510,1(e) provides the authority for the Commission to cancel any certificate that has been obtained through misrepresentation or fraud or that was issued as the result of an administrative error on the part of the Commission or the employing agency.

§ 9078 (d) Cancellation Appeal

An individual whose certificate has been cancelled may appeal the cancellation to the Commission. At the Commission's discretion, a hearing shall be held either before the Commission or before a qualified hearing officer. The hearing officer shall prepare a proposed decision in such form that it may be adopted as the decision in the case. All hearings shall be conducted in conformance with the Administrative Procedures Act ([G.C. section 11340 et seq.](#)). At the conclusion of the appeal hearing, the Commission shall render a decision to uphold or overturn the decision to cancel the certificate. **Currently adopted in CP F-2-10(a). Reworded for clarity.**

§ 9078 (e) Cancellation Recorded

When the decision to cancel is upheld through the appeal process, the POST Profile record shall indicate the appropriate reason for the cancellation. **This new requirement was added in order for POST to capture the reasons for certificate cancellation and is consistent with the requirements to record on the profile when an individual has been disqualified to hold office as a peace officer, or the Basic Certificate has been nullified. POST believes that it is important to record the certificate information for an individual on the peace officer profile, so that the certificate information will be located in one place.**

§ 9078 (f) Return of Certificate

Upon notification of cancellation, the individual to whom a cancelled certificate was issued shall return the certificate to POST.

Currently adopted in CP F-2-8 that an individual shall return the cancelled certificate to POST.

Authority cited: Section 13510.1(e), Penal Code.

Reference: Section 13503, 13506, 13510.1(e), Penal Code.